PRINTER RUSH (PTO ASSISTANCE)

Application : 09/8/8, 7	100 Examiner : <u>E</u>	M. Mercader GAU:	3737
	<u>ω</u> Location: (1	DC FMF FDC Date:	
<u> </u>	Tracking #: Ex	PM 9/818,100 Week Date:	12-19-05
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NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.

REV 10/04



ARMSTRONG TEASDALE LLP

One Metropolitan Square, Suite 2600 St. Louis, Missouri 63102-2740 Phone: (314) 621-5070 Fax: (314) 621-5065

www.armstrongteasdaie.com

CERTIFICATE OF FACSIMILE TRANSMISSION TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: March 3, 2006

Examiner: Rori Burch : RE: U.S. Patent Application Publishing Division : Serial No.: 09/818,700

Fax: (571) 273-9009 : Applicant: William F. Avrin, et al. From: Patrick W. Rasche : Atty. Dkt. No.: 1502-088CON

DOCUMENTS SUBMITTED WITH TRANSMISSION:

Notice to File Corrected Application Papers (1 pg.); Copy of Date Stamped Return Receipt Postcard (1 pg.); Copy of Transmittal Form (1 pg.); Copy of Fee Transmittal Form (1 pg.); Copy of Notice to File Missing Parts of Nonprovisional Application (1 pg.); Copy of Declaration For Utility or Design Application (3 pgs., of inventors: W. Avrin; S. Kumar; P. Czipott; W. Freeman; & H. Trammell, III); Information Disclosure Statement (4 pgs.); and Certificate of Transmission via Facsimile (1 pg.)

Total pages including cover page: 16
If all pages are not received, please contact: Michele at Ext. 7321

RE: The above referenced U.S. Patent Application

Tide: SIMPLIFIED WATER-BAG TECHNIQUE FOR MAGNETIC SUSCEPTIBILITY

MEASUREMENTS ON THE HUMAN BODY AND OTHER SPECIMENS

Filed: March 27, 2001

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that these papers are being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number (571) 273-9009 on the date shown below.

Date: March 3, 2006

Patrick W. Rasche, Reg. No.: 37,916

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Via Facsimile: (571) 273-9009

PATENT 1502-088CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William F. Avrin, et al.

Art Unit: 3737

Serial No.: 09/818,700

Examiner: Eleni M. Mantis Mercader

Filed: March 27, 2001

For:

SIMPLIFIED WATER-BAG TECHNIQUE:

FOR MAGNETIC SUSCEPTIBILITY

MEASUREMENTS ON THE HUMAN BODY

AND OTHER SPECIMENS.

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Corrected Application Papers ("NOTICE") (copy attached), dated February 13, 2006, in the Patent Application of: William F. Avrin, et al., Serial No.: 09/818,700, filed: March 27, 2001, attached Applicants submit the following evidence that the signed Oath/Declaration noted as missing from the Application was deposited with the U.S. Patent and Trademark Office ("PTO") on: June 5, 2001, which is the original date the Oath/Declaration was filed in Response to the Notice to File Missing Parts in Nonprovisional Application dated: May *23, 2001.*

Specifically, a copy of the date stamped return receipt postcard showing thereon that the Oath/Declaration was received by the PTO on June 8, 2001, with the associated papers filed in Response to the Notice of Missing Parts (copy attached).

Additionally, the Commissioner is hereby authorized to charge any fees due with this response or credit any overpayment to Deposit Account Number 01-2384. A duplicate copy of this response is enclosed.

Respectfully submitted,

Patrick W. Rasche, Reg. No.: 37,916 ARMSTRONG TEASDALE LLP

One Metropolitan Square, Suite 2600

St. Louis, MO 63104

314-621-5070



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

> Serial Number 09818700

Date Mailed 2/13/06

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- Signed oath/declaration is missing from the application. Fax missing information to number below or e-mail.
- o Por status updates visit http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR System, contact the Electronic Business Center (EBC) toll free at 866-217-9197.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice <u>MUST</u> be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Rori Burch USPTO

Publishing Division Rori.burch@uspto.gov Fax (571) 273-9009 Fax (703) 308-6642

703-305-0333 ext.135 (V)

4

THE U.S. PATENT AND TRADEMARK OFFICE DATE STAMP HERED WILL ACKNOWLEDGE RECEIPT OF THE FOLLOWING: EESPONSE TO NOTICE TO FILE MISSING PARTS and
DIFORMATION DISCLOSURES THEMENT for
"SIMPLIFIED WATER BAC TECHNIQUE FOR MAGNETIC USCEPTIBILIT
MEASUREMENTS ON THE HUMAN BODY AND OTHER SPECIMENS" William F. Avrin et al. 09/818/2000 - Filed: 27 146-12001 E Inventor: Enclosures: Transmittel Form PTO/SB/21 Fee Transmittel Form PTO/SB/17 (1 page); (1 page); (2 pages); (3 pages);

∴-**∙**ФМ

- Notice to File Missing Party Notice to File Missing Party Response to Notice to File Missing Party Declaration for Patent Application Information Joselosure Statement with Form 1449 (4 pages) and I reference; Check in the amount of \$65; and This return posteard.

Mailed 5 June 2001 via First Class Mail 1502-088con LAM

70 410117741		Application Number	09/818,7	700	<u>':</u>
TRANSMITTAL		Filing Date	27 Marc	h 2001	-
FORM		First Named Inventor	William	F. Avrin	$\overline{}$
(to be used for all correspondence after in	itial filing)	Group Art Unit	3737		÷
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otal Number of Pages in This Submission	18	Attorney Docket Number	1502-08	8CON	_
	ENCL	OSURES (check all that apply)			Ŧ
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Response to Missing Parts/ Incomplete Application	·· ·· · · · · · · · · · · · · · · · ·				
Response to Missing Parts under 37 CFR 1.52 or 1.53					.!
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Date 5 June 2001	<u>_</u>				†
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hereby certify that this correspondence is			I Service as	first class mail in an envel	οp
addressed to: Assistant Commissioner for				e 2001	
yped or printed name Lawrence A. M	laxham	- 110 1			Ť
Signature	loca	(Markan)	Date	5 June 2001	Ť

PTO/SE/17:[01-00)
App. for use through 10/31/2002. OMB 8651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL					Complete if Known	
	Applic	ation Mu	ımber	09/6	09/816,700	
for FY 2001	Filing	Date		27 N	March 2001	-
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Patent fees are subject to annual revision.	Exami	ner Narr	10	UNP	CNOWN	_
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TOTAL AMOUNT OF PAYMENT (\$) 65	Attorn	ey Dock	et No.	150	2-088CON	
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Code (3) Code (5) Fee Paid 101 710 201 355 \ Utility filing fee	120	310	220	155	Filing a brief in support of an appeal	·
109 320 208 160 Design filing fee	121	270	221	135	Request for one! hearing	!
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114 150 214 75 Provisional filling fee	141	1.240	241	650	Petition to revive - unintentional	
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Code (\$) Code (\$) Fee Description 103 18 203 9 Claims in excess of 20	149	710	249	355	For each additional invention to be examined (37 CFR § 1.128(b))	
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Name (Print/Type) Lewrence A. Maxham Registration No. Attorne	ДАФОО	20.4	83		Telephone 619-233-9004	
Signature accell-11	las	la			Date 5 June 2001	i

WARNING: information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will very depending upon the needs of the individual case. Any comments of the amount of time you are required to complete this form should be sent to the Chief Information Cificer. U.S. Paters and Trademark Office. Washington. DC 20231.

PAGE 6/16* RCVD AT 3/3/2006 12:24:37 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/46* DNIS:2739009 * CSID:3146215065* DURATION (mm-ss):03-52

Page 1 of 1



United States Patent and Trademark Office

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARY OFFICE
WASHINGTON, D.C. 2023

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/818,700

03/27/2001

William F. Avrin

1502-88 COn

CONFIRMATION NOL 3629 **FORMALITIES LETTER**

OC000000008109892*

00616 **BAKER & MAXHAM** SYMPHONY TOWERS 750 "B" STREET, SUITE 3100 **SAN DIEGO, CA 92101**

Date Mailed: 05/23/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filling a petition accompanied by the extension fee under the provisions of 37 CFR 1,136(a).

- The oath or declaration is unsigned,
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1, 6(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re App	olication of:)	C A II-ia, 2727
WILLIA	M F. AVRIN ET AL.)	Group Axt Unit: 3737
SERIAL	NO.: 09/818,700)	
FILED:	27 March 2001)	Examiner: UNKNOWN
F M	IMPLIFIED WATER-BAG TECHNIQUE OR MAGNETIC SUSCEPTIBILITY TEASUREMENTS ON THE HUMAN ODY AND OTHER SPECIMENS)	
	sioner for Patents ton, D.C. 20231		
Sir:			

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED

This document is submitted in response to the NOTICE TO FILE MISSING PARTS, dated 23 May 2001.

Transmitted herewith is the duly executed Declaration for Patent Application and the required fee.

TUSBESTIVERICLUS/TN15021088COHARSSPORES - NP. DOC

The Commissioner is hereby authorized to charge any fees that arise in connection with this filing which are not covered by the money enclosed, or credit any overpayment, to Deposit Account No. 02-0460.

Respectfully submitted,

WILLIAM F. AVRIN ET AL.

Bv:

AWRENCE A. MAXHAM

Attorney for Applicant Registration No. 24,483

THE MAXHAM FIRM Symphony Towers 750 "B" Street, Suite 3100 San Diego, California 92101 Telephone: (619) 233-9004

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PTQ/SB/01 (10-00)

Approved for use through 10/31/2002, CHIB GS51-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE illection of information unless it contains a valid OMB control number.

			Attorney Docket Nun	nber 1502-88CON	
DECLARA		I FOR UTILITY OR SIGN	First Named Inventor	, William F. Avrin	
PATE		APPLICATION	CC	OMPLETE IF KNOWN	
(37 C	FR 1.63)	Application Number	09 /818,700	
☑Declaration Submitted	OR	Declaration Submitted after Initial	Filing Date	27 March 2001	
With Initial	•••	Filing (surcharge (37 CFR 1.16 (e))	Group Art Unit	Unknown	
Littig		required)	Examiner Name	Unknown	•

As a below named inventor, I hereby declare that:									
My residence, post office address, and citizenship are as stated below next to my name.									
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a parient is sought on the invention entitled:									
Simplified Water-Bag Technique for Magnetic Susceptibility Measurements on the Human Body and Other Specimens									
the specification of which (Title of the Invention)									
Is attached hereto					ļ				
OR									
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Application Number	and	VOCIVINI) no bebneme eew	····	(i	f applicable).				
I hereby state that I have review specifically referred to above.	wed and understand the conter	nts of the above identified s	eclification, including	the claims as ame	nded				
I acknowledge the duty to disct applications, material informati international filing date of the o	on which became available be	tween the filing date of the p							
I hereby claim foreign priority I or 365(a) of any PCT Internati and have also identified below application having a filing date	onal application which designs r, by checking the box, any for	ated at least one country of reign application for patent	her then the United :	States of America,	listed below				
Prior Foreign Application		Foreign Filing Date	Priority	Certified Copy	Attached?				
Number(s)	Country	(MRI/DD/YYYY) Country	Not Claimed	YES	NO				
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☐ Additional foreign application	n numbers are listed on a supp	olemental priority data sheet	PTO/SB/028 attach	ed hereto:					
I hareby claim the benefit under	r 35 U.S.C. 119(a) of any Unite	ad States provisional applica	tion(s) (isted below.						
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[Page 1 of 3]
Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the Individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Tredemark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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San Diego						CA		9210	1 i	
Country			Telapho	ne					Fax }	
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any petent issued thereon.										
NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor										
Given Name William F. Family Name Avrin or Surname										
inventor's Signature	1 ille	55		ي عن ال	ي. سد			- 1 -	ato	
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[Page 2 of 3]

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DECLARA	ATION		ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1					
Name of Additional Joint Inventor,	if any:	·	☐ A patition has been filed for this unsigned inventor					
Given Name (first a	nd middle iif anvi)			F	amily Name or Surname			
Peter V.			Czipett					
Inventor's Pty. Cycles	A				Date Agri	L 6, 2001.		
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Mailing Address 10741 Wall	ngford Road							
Mailing Address								
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Name of Additional Joint Inventor,	if any:		A patition has been filed for this unalgred inventor					
Given Name (first ar	nd middle [if any])		Family Name or Sumame					
Walter N.			Freeman					
Signature Water V	1. Freen	u-	Date			J 6, 200 1		
Residence: City San Diego	State	CA	Country	US	Citizenahip US	3		
Mailing Address 4505 Benhu	rat Avenue							
Mailing Address								
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Name of Additional Joint Inventor, i	fany:		☐ A petitio	n has been filed	for this unsigned inventor			
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Hoke S.	1-17		Trammell	7				
Inventor's Signature					Date Chan	6 2001		
Residence: City San Diego	State	CA	Country	US	Chtizenship us			
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Washington, DC 20231.			Ç.200 10 11					

[Page 3 of 3]

Sir:

"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
WILLIAM F. AVRIN ET AL.) Group No: 3737
SERIAL NO.: 09/818,700	,) }
FILED: 27 March 2001) Examiner: UNKNOWN
FOR: SIMPLIFIED WATER-BAG TECHNIQUE FOR MAGNETIC SUSCEPTIBILITY MEASUREMENTS ON THE HUMAN BODY AND OTHER SPECIMENS))))
Commissioner for Patents Washington, D.C. 20231	

INFORMATION DISCLOSURE STATEMENT

Applicant hereby cites the documents listed in accompanying Form PTO-1449 with respect to the above-referenced patent application under the provisions of 37 C.F.R., Sections 1.56, 1.97 and 1.98. Except for the Farrell publication, copies of the documents are not attached because they were all cited in the parent application.

The filing of this Information Disclosure Statement will not be construed to mean that a search was conducted or that no other material information, as defined by 37 C.F.R. 1.56, exists.

03/03/2006 11:28 FAX 3146215065

Ø 014/016

It is Applicant's opinion that the essential features of the invention are neither described in nor obvious from any of the references mentioned above, whether taken individually or in any reasonable combination.

The Examiner is respectfully requested to make the listed documents of record in connection with the prosecution of the subjection application.

Respectfully submitted,

WILLIAM F. AVRIN ET AL.

Bv:

Attorney for Applicant(s) Registration No. 24,483

THE MAXHAM FIRM Symphony Towers 750 "B" Street, Suite 3100 San Diego, California 92101 Telephone: (619) 233-9004 -

SHEET 1 OF Form PTO-1449 Docket No.: 1502-088CON Application No.: 09/818,700 INFORMATION DISCLOSURE CITATION Applicant: William F. Avrin et al. IN AN APPLICATION (Use Several Sheets If Necessary) Filing Date: 27 March 2001 Group Art Unit: 3737 **U.S. PATENT DOCUMENTS** EXAMINER FILING DATE INITIAL **DOCUMENT NUMBER** DATE NAME CLASS SUBCLASS IF APPROPRIATE 4,431,005 02/84 McCormick 128 656 4,709,213 11/87 Padhrasky 324 329 5,057,095 10/91 604 Fabian 362 5,099,845 03/92 Besz et al. 128 653 5,105,829 04/92 Fabian et al. 128 899 5,107,862 04/92 Fabian et al. 128 899 5,188,126 02/93 Fabian et al. 128 899 5,190,059 03/93 Fabian et al. 128 899 5,353,807 10/94 DeMarco 128 772 5,425,382 06/95 Golden et al. 899 128 5,456,718 10/95 **Szymaitis** 623 11 5,494,033 02/96 Buchanan et al. 128 653 5,558,091 09/96 Acker et al. 128 653 4,801,882 01/89 Daalmans 324 248 4,827,217 05/89 Paulson 324 248 4,969,469 08/93 Mills 128 653 5,233,992 08/93 Holt et al. 128 653.2 5,268,165 12/93 Hedlund et al. 424 5,305,751 04/94 Chopp et al. 128 654 5,322,682 06/94 Bartzokis et al. 424 9 5,384,109 01/95 Klaveness et al. 424 9 5,408,178 04/95 Wikswo et al. 324 201 5,735,279 04/98 Klaveness et al. 128 654 5.686.836 12/98 Sasada et al. 324 244 5,842,986 12/98 Avrin et al. 600 407

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